

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
NORTHERN DIVISION**

<b>DEBBIE DOMINGUEZ, as Personal</b>	)	
<b>Representative of the Estate of</b>	)	
<b>Mariano Izaguirre Dominguez, deceased,</b>	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL ACTION NO. 09-00842-KD-B</b>
	)	
<b>KENNETH ARLIN PEEK, JR. <i>et al.</i>,</b>	)	
<b>Defendants.</b>	)	

**ORDER**

After due and proper consideration of all portions of this file deemed relevant to the issues raised and there having been no objections filed, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. §636(b)(1)(B) and dated April 16, 2010 is **ADOPTED** as the opinion of this Court.

It is **ORDERED** that Plaintiff's Motion to Remand (Doc. 4) is **DENIED**.

**DONE** and **ORDERED** this the **4<sup>th</sup>** day of **May 2010**.

/s/ Kristi K. DuBose  
**KRISTI K. DUBOSE**  
**UNITED STATES DISTRICT JUDGE**